<u>Remarks</u>

This Reply is in response to the Office Action mailed February 18, 2010.

I. <u>Summary of Examiner's Rejections</u>

In the Office Action mailed February 18, 2010, Claims 8-11, 13-14 and 23 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 1-3, 6-10, 13-15, and 20-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over McNeely et al. (U.S. Patent No. 7,117,411 hereafter McNeely) in view of Dubovsky (U.S. Patent Publication No. 2003/0055836). Claims 4, 11 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over McNeely in view of Dubovsky and Lamb (U.S. Patent No. 6,823,522).

II. <u>Summary of Applicant's Amendments</u>

The present Reply amends Claim 8, leaving for the Examiner's present consideration Claims 1-4, 6-11, 13-15, 18, 20-26. Reconsideration of the Application is respectfully requested.

III. <u>Claim Rejections under 35 U.S.C. § 112</u>

In the Office Action mailed February 18, 2010, Claims 8-11, 13-14 and 23 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claim 8 has been amended as shown above. Reconsideration is respectfully requested.

IV. <u>Claim Rejections under 35 U.S.C. § 103(a)</u>

In the Office Action mailed February 18, 2010, Claims 1-3, 6-10, 13-15, and 20-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over McNeely (U.S. Patent No. 7,117,411) in view of Dubovsky (U.S. Patent Publication No. 2003/0055836). Claims 4, 11 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over McNeely in view of Dubovsky and Lamb (U.S. Patent No. 6,823,522).

Claim 1

Applicant respectfully traverses the rejection of Claim 1, in view of the following comments.

McNeely discloses a communications network test system used to identify and resolve potential problems in the provisioning of network services. The test system appears to be operable to test a variety of network elements including packet switches, database nodes, and routers. The

varied elements may each provide their own device-specific test commands which can be applied through a test interface such as a command line or a GUI. The communications network test system appears to provide a different test language which is independent of the device-specific test languages. This independent language appears to be used to construct test cases capable of testing multiple devices on the network.

Unlike the communications network test system of McNeely, Dubovsky discloses a scriptable GUI test tool. The scriptable GUI test tool appears to test the interface itself including various GUI features such as menu items, button bar items, windows, tabs, etc.

It was asserted in the Office Action, that the GUI test tool of Dubovsky could be added to the communications network test system of McNeely as another network element. Thus enabling the communications network test language to be mapped to the test language associated with the GUI test tool. Applicant respectfully disagrees.

McNeely notes that a one-to-one mapping is not required between the communications network test system language and the device-specific languages. However, Applicant respectfully submits that it appears that there must be a mapping of the core functions of the test system language and the device-specific languages, or else the combination would be nonfunctional. For example, if the communications network test system language provides no mapping for testing a menu item (not for accessing or using a menu item, but for testing the menu item), then the resulting combination would be unable to test basic GUI functionality, rendering it useless. McNeely does not appear to include GUI test commands, or suggest that GUI test commands could be readily added or supported.

Applicant respectfully submits that, based on the above description, if the communications network test system language of McNeely were to add generic GUI test commands in addition to the generic network device test commands, then the purpose of the communications network test system would be frustrated. The communications network test system appears to have been developed to simplify the testing of network devices. Adding ancillary functionality, such as generic GUI test commands, adds unnecessary complexity to the communications network test system language. Such a combination would appear to complicate, rather than simplify, the process of network testing.

Accordingly, Applicant respectfully submits that McNeely, in view of Dubovsky does not disclose or render obvious a test case input file stored on the computer readable medium, that contains a plurality of directives that are logical abstractions of actions that can be performed on a GUI, independent of any of the tool-specific scripting languages, as recited by Claim 1.

In view of the above comments, Applicant respectfully submits that Claim 1, as currently

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amended, is neither anticipated by nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 8 and 15

The comments provided above with respect to Claim 1 are hereby incorporated by reference. For similar reasons as provided above with respect to Claim 1, Applicant respectfully submits that Claims 8 and 15 are likewise neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 2-4, 6-7, 9-11, 13-14, 18, 20-26

Claims 2-4, 6-7, 9-11, 13-14, 18, 20-26 depend from and include all of the features of Claims 1, 8 or 15. Claims 2-4, 6-7, 9-11, 13-14, 18, 20-26 have not been addressed separately herein; however, Applicant respectfully submits that these claims are allowable at least as depending from an allowable independent claim, and further in view of the comments provided above. Reconsideration thereof is respectfully requested.

V.   Conclusion

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: ___April 19, 2010_____   By: ____/Nathan L. Feld/_____
                                                          Nathan L. Feld
                                                          Reg. No. 59,725

Customer No. 80548
FLIESLER MEYER LLP
650 California Street, 14th Floor
San Francisco, California 94108
Telephone: (415) 362-3800